



## **STAFF ANALYSIS:**

### **Site Location and Description:**

The subject property is within the Bridgewater community and immediately north of Plough Park in the Shelby Farms complex. The proposed 13.73 acre site is specifically located on the northeast side of Raleigh-Lagrange Road, between Macon Road and the CSX Railroad ROW. It is immediately adjacent to existing Shelby Park Planned Development, P.D. 03-361 CC (Plat Book 211, Page 2) located south of Macon Road, north of the CSX Railroad ROW. The site consist of mostly vacant land except for an existing single family home that is situated on approximately 2.8 acres of the total site. The entire area of the newly proposed site is located within the Agricultural (AG) District.

### **Applicants Request**

The request is for a mixed used planned development consisting of residential and commercial development in two separate areas. Area A would include 48 single family residential lots (minimum lot size =  $\pm 3,500$  sq.ft.) and two common open space lots while Area B would permit various commercial uses regulated by the Planned Commercial (C-P) District.

### **Germantown Parkway Area Study**

This site is located within the Germantown Parkway Area Study, adopted in 1992, by both legislative bodies. The Study recommends that the land use for this site be high suburban which allows for all housing types at a density up to 15 dwelling units per acre. This area is currently under review for future changes or revisions to the Study.

### **Review of Request**

The Shelby Park East Planned Development is proposed as an extension of the existing and original Shelby Park Planned Development (P.D. 03-361 CC), a large multi-use planned development located at the southeastern and southwestern corners of Macon and Appling Roads.

This is the third planned development proposal filed by the applicant on this site. The applicant filed twice to amend the previously approved Shelby Park Planned Development (P.D. 03-361 CC), in 2005 (P.D. 05-359 CC) and 2007 (P.D. 07-325 CC). This current case is filed not as an amendment to the original planned development but as a second addition to that development. The two proposed amendments that was filed in 2005 and 2006 were recommended for rejection by staff based on a number of factors. The 2005 case was rejected due to an unacceptable site plan which pertained to the location of the proposed multi-family development, the closure of Raleigh-LaGrange Road, the width of the private drives, and the front yard setback on the lots with rear service alleys. There was opposition at the Land Use Control on the proposed planned development amendment. The applicant at that time asked to hold the case and subsequently never went forward with the case. The applicant made some revisions to the previous request and refiled to amend the originally approved planned development in 2007 as a second attempt to amend P.D. 03-361 CC.



The 2007 site plan proposed to amend Parcel II of the existing P.D. and amend the boundaries of the designated areas to change the composition of the proposed permitted uses within each. The Parcel II, Area A was increased and the permitted uses changed from multi-family residential to single family residential. Parcel II, Area B was also increased slightly but the permitted commercial uses would remain the same. A new Parcel II, Area C was proposed for creation that would permit additional single family uses. The previously approved multi-family uses within this development would be dropped through this amendment. Staff recommended rejection of this proposed site plan because of closure of Raleigh-LaGrange Road was not complete and the reuse of the right-of-way unclear; the use of private drives and the lack of a consistent streetscape plan through out the development; front yard setbacks on private drives, especially for front facing garages and the lack of a concept or specific site plan for the development of the commercial portion of this planned development. Also, the proposed planned development amendment was not properly filed given that the owner/developer of the original Shelby Park Planned Development had already sold lots to other individuals. The Zoning Ordinance requires that any amendment to a planned development where lots have been sold require that each every property owner(s), new and old, must sign the application submitted for the property. The applicant chose to withdraw the application and refile the subject site as a separate development but as a continuation of the type of housing previously built in the original Shelby Park Planned Development.

The applicant has now filed this third attempt to develop the subject property as a continuation of the original planned development. There have been only minor changes in the proposed site plan. The changes are as follows: a slight reduction in the number of lots from a maximum of 52 to 50; an increase in the minimum lot size from 3,500 square feet to 4,400 square feet; and an increase in the minimum lot widths from 35 feet to 40. Even with the changes made to the newly proposed site plan there are still some items of concern that have not been adequately addressed at this time.

The first and most important issue of this development is that the site plan proposes the use of private drives (27 feet wide). The use of private drives within a small lot development is not desirable. Small lots on private drives will not have sidewalks for safe pedestrian access. Also, the site plan does not clearly show or label how the closure area of Raleigh-Lagrange Road will be incorporated within this development. Although the applicant has indicated that this area will become an alley, it is not clear if this alley will provide primary or secondary vehicle access for the adjacent lots or to the commercial development along Macon Road. It is recommended that a public road is needed to between the commercial portion of the development and the residential portion to aid in the safe and efficient circulation of traffic between these two uses. The private drives shown on the site plan are not acceptable to provide this function. The internal road system should be public and be redesigned to provide a consistent and pleasing streetscape screen along both sides to add to the appearance of this development.

The second item of concern is the proposed 20 foot front yard setback along the newly proposed private drives as shown on the site plan is not acceptable. A 27 foot front yard setback is standard requirement for lots that will have front facing garages to ensure adequate room is provided for the parking of cars in the driveways. Otherwise, lots with a 20 foot front yard setback should be wide enough to accommodate side load garages. Prior experience has shown that 40 foot wide lots cannot comply with this requirement.



Standard policy also requires that lots that are less than 50 feet in width be created with a rear service drive to provide driveway access to the lots. This design requirements leaves the front yard available to meet the requirements of the Tree Ordinance. A 40 foot wide lot as shown on the site plan cannot provide adequate accommodation for a driveway, garage or carport, and the installation of one Tree A in the front yard. Prior experience has shown that a 40 foot wide lot is not adequate to accommodate the sheer mass of the Tree "A" as it grows. A redesign to increase the lot widths of this development will provide the necessary additional space needed on each lot to comply with development requirements.

The next item of concern is the design and layout of the proposed 50 foot wide flag stem for the lot with the existing house, Lot 48, that would provide access to Macon Road for this lot. The applicant has indicated that the Church is planning to purchase proposed Lot 48 in order to obtain access and frontage to Macon Road for both the Church and the existing single family home. However, since the sale and consolidation of this lot with church lot may not happen for some time, the lot must be able to stand alone and meet all subdivision requirements. The configuration of this flag staff and the presence of a private drive over the first 190 feet of the area from Macon Road is problematic. As shown on the site plan, the frontage for proposed Lot 48 will be via a private dead-end road. The creation of lots at the end of road cannot be permitted for this lot as well as two additional lots proposed within the development, Lots 17 and 27. This area needs to be redesign to create a better means of providing both road frontage and access to this large lot.

A last item of concern pertains to the lack of a any proposed detention pond area in Area B separate from Area A and any proposed landscaping shown on the concept/site plan. Although details of proposed building placement and parking are shown on the concept/site plan, no information or details concerning proposed detention or landscaping is shown for consideration as part of this development. The County Engineering Office indicates that the placement of separate detention areas in both the residential and commercial portions of this development is very important and should be shown on the site plan. Also, the inclusion of landscaping on the site plan is not only important for aesthetic purposes but also to screen the newly proposed residential lots to the south. Especially, since the applicant is proposing to create a private drive to link the residential area to the commercial area, along its eastern boundary. Both staff and County Engineering agrees that additional information must be provided on this site plan concerning proposed drainage detention, landscaping, and circulation between this the commercial and residential areas should be provide with this proposed site plan.

Given the number of problems that still remain with this newly submitted site plan, staff still can not recommend approval of the proposed development. The proposed uses on this site are acceptable as requested by the applicant. However, the proposed site plan is not acceptable for this development.

**RECOMMENDATION:**      **REJECTION**

## **OUTLINE PLAN CONDITIONS:**

### **I. PERMITTED USES:**

- A. Area A ---- Single-family residences, not to exceed 48 lots
- B. Area B --- Uses permitted by right or administrative plan review in the Planned Commercial (C-P) District

### **II. BULK REGULATIONS:**

- A. Area A:
  - 1. Minimum lot size: 4,400 square feet
  - 2. Minimum lot widths: 41 feet
  - 3. Minimum front yard setbacks: 20 feet (27' for front facing garages)
  - 4. Minimum side yard setbacks: 3.5 feet
  - 5. Minimum rear yard setbacks: 15 feet
- B. Area B: As specified in Chart II for the C-P District

### **III. ACCESS AND CIRCULATION**

- A. Dedicate 34 feet from centerline of Macon Road and improve in accordance with Subdivision Regulations.
- B. Street D shall intersect Macon Road at a ninety degree angle (approximately) rather than as shown on the proposed outline plan.
- C. There shall be a minimum of 250 feet of separation between Street D and the proposed curb opening to Macon Road from the commercial area.
- D. The City/County Engineer shall approve the design, number and location of curb cuts. Any existing nonconforming curb cuts shall be modified to meet current City/County Standards or closed with curb, gutter and sidewalk.
- E. Any curb cut along the Macon Road frontage beginning closer than 300 feet from the centerline of Appling Road will be limited to right in/right access only.



- F. A Common Open Space should be designated between Shelby Park PD, Phase 2 and the proposed Shelby Park East PD, along the existing Raleigh LaGrange Road closure and between lot 47 of Shelby Park PD, Phase 2 and lot 1 of the proposed residential. The intent of the Raleigh LaGrange Road closure is to provide a walking trail (COS) and not a driving lane connecting future commercial buildings with the proposed residential.
- G. Provide and show how the existing house (lot 48) will have access to a public street.
- H. Properly show the Raleigh LaGrange Road closure in front of the existing house, lot 27 and the beginning of public ROW and the existing hammerhead with existing turnaround easement.
- I. Lot 17 and 27 does not have adequate road frontage.
- J. All private drives are subject to review by County Engineer for compliance with Geometric Design Standards. All private drives shall be constructed to meet County standards and provide a minimum pavement width of 22 feet exclusive of curb and gutter.
- K. Pedestrian walkways to facilitate pedestrian access to Plough Park shall be shown on the site plan.
- L. Clear Sight Areas shall be provided on the final plat and engineering plans along the frontage of Lot 36 and COS B in accordance with the Subdivision Regulations. The required note regarding Clear Sight Areas shall be placed on the final plat.
- M. Provide internal circulation between adjacent phases, lots, and sections. Common ingress/egress easements shall be shown on the final plats.
- N. Adequate queuing spaces in accordance with the current ordinance shall be provided between the street right-of-way line and any proposed gate/guardhouse/card reader.
- O. Adequate maneuvering room shall be provided between the right-of-way and the gate/guardhouse/card reader for vehicles to exit by forward motion.

#### IV. LANDSCAPING AND DESIGN

- A. The Outline Plan shall identify all trees 10 inches in breast-height diameter (DBH) or greater. The planned removal of any tree that is 10 inches DBH or greater shall require the filing of a Notice of Intent (NOI) subject to the review and approval of the Office of Planning and Development. In that event, the applicant shall file a recordable document to be recorded with the final plat that meets the requirements of the "Tree Ordinance". This document shall include a drawing indicating those trees to be saved and those to be removed. If the applicant can not meet the requirements of the Tree Ordinance Matrix, an equivalent alternative shall be presented to the Office of Planning and Development for review and approval.
- B. Landscaping needs to be shown between the future commercial buildings and the proposed residential.
- C. Required landscaping and screening shall be modified as necessary to avoid conflict with any easements, including overhead wires subject to the approval of the Office of Planning and Development.
- D. In addition to required landscape screens and streetscape treatments, a minimum five (5) percent landscaped area shall be provided within any and all commercial/retail parking lots.
- E. All single-family residences shall be composed of a minimum of 80 percent brick.
- F. Commercial and office buildings shall be constructed using consistent architectural styles and similar building materials.
- G. All heating and air conditioning equipment on commercial and office buildings, including any located on the roof, shall be enclosed and shielded from view by architectural elements that are integral to and consistent with the overall exterior design.
- H. All dumpsters and other outdoor solid waste containers shall be completely screened from view from all adjacent properties and all public roads.
- I. In areas designated for commercial, a detailed site plan, including lighting and landscaping shall be approved by the Office of Planning and Development prior to the issuance of any building permit. Further, no final use and occupancy permit shall be issued without the express written certification that proposed construction is in conformance with the approved landscaping and lighting plan.



## **V. SIGNS**

- A. Area B: Signs shall be regulated by the C-P District requirements of the Zoning Ordinance including the following: The design and materials of signs shall be consistent with the proposed buildings subject to site plan review and approval.

## **VI. DRAINAGE:**

- A. Provide stormwater detention for the proposed residential area in accordance with the Fletcher Creek Drainage Ordinance.
- B. A separate stormwater detention pond shall be provided for the future commercial area in accordance with the Fletcher Creek Drainage Ordinance.
- C. Drainage data shall be provided for assessment of on-site detention requirements by County Engineer's Office. All drainage plans shall be submitted for review by the offices of the Shelby County Engineer and the City of Memphis Engineer.
- D. Drainage improvements, including possible on-site detention, shall be provided under a Standard Subdivision contract in accordance with Subdivision and Zoning Regulations in effect when final plans are recorded and with the City of Memphis Drainage Design Manual.
- E. Detention facilities, if required, are to be fully operational immediately after the clearing of the vegetation. Silt and debris connected with early construction shall be removed periodically from the detention area and control structure in order to maintain maximum storage capacity.

## **VII PARKING:**

Off-street parking loading and queuing spaces shall be provided in accordance with Chapter 28 of the Zoning Ordinance- Regulations.

## **VIII. SITE PLAN REVIEW BY THE LAND USE CONTROL BOARD**

- A. Prior to the approval of any final plan for Areas B, a site plan shall be submitted for the review, comment and recommendation of the Office of Planning and development (OPD) and appropriate City and County agencies and the approval of the Land Use Control Board.
- B. The site plan shall be submitted at least twenty (20) days prior to the Land Use Control Board in which it will be on the agenda. It shall include the following information:..
  - 1. The location and dimensions, of all buildings or buildable areas, signs and parking areas. Building height shall be included for all buildings higher than 35 feet.